

To: 'L.Ricciuti'[niagaranet@aol.com]; Daly, Eric[Daly.Eric@epa.gov]
From: Tuori, Thomas
Sent: Mon 11/13/2017 2:57:02 PM
Subject: RE: EARLIEST recent era articles about the subject, about me, by me, some about my involvement and some archived historic & current articles & info

Hi Lou,

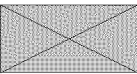
Thank you very much for all this interesting information.

Have a great day,
Tom

From: L.Ricciuti [mailto:niagaranet@aol.com]
Sent: Saturday, November 11, 2017 9:45 AM
To: Tuori, Thomas; daly.eric@epa.gov; niagaranet@aol.com
Subject: Fyi: EARLIEST recent era articles about the subject, about me, by me, some about my involvement and some archived historic & current articles & info

FYI - Some background, early press coverage and historic data - timeline

ANY and ALL published assertions have been proven accurate and true -- including the discovery of the HREX Pu at a Lewiston landfill, and via records, at a Niagara Falls industrial location.



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-----Original Message-----
From: >
To: niagaranet <niagaranet@aol.com>
Sent: Sat, Nov 11, 2017 8:51 am
Subject: EARLIEST Articles

Subject: FACILITY MAY HOLD RADIOACTIVE HUMAN BODY PARTS - 2001 Ricciuti, Shaw

<http://www.buffnews.com/apps/pbcs.dll/article?AID=/20010308/CITYANDREGION/303089928>

City & Region

FACILITY MAY HOLD RADIOACTIVE HUMAN BODY PARTS
Published: 03/8/2001, 12:01 AM
BY BILL MICHELMORE - NEWS NIAGARA BUREAU

Reports that radioactive human body parts were buried at a secret Army research facility here during World War II will be investigated by the U.S. Army Corps of Engineers.

Area residents voiced their latest fears about the former Lake Ontario Ordnance Works (LOOW) at a meeting Wednesday night of the Army Corps' Restoration Advisory Board, which was formed last year to clean up the site. The quarterly meeting was held at the Lewiston-Porter Central School, less than a mile from the wartime site that was part of the Manhattan Project to develop the atomic bomb.

Contaminated nuclear waste from these projects was buried in the Niagara Falls Storage Site, a 191-acre section of the sprawling 7,500-acre Lake Ontario Ordnance Works.

The Army set aside a portion of the Niagara Falls Storage Site as the Rochester Burial Site to contain the remains of dogs, cats, rabbits and other animals used in radiation experiments at the University of Rochester during in the 1940s and 1950s.

The radioactive animal carcasses were buried there 50 years ago, but it was only in the past three months that the Army Corps began to address the matter.

"There is no question that experiments involving the injection of plutonium into animals and unwitting human subjects were done in Rochester in the 1940s and 1950s," said Louis H. Ricciuti, a director of Citizens Campaign Against Nuclear Exposure.

The human experimentation in Rochester has been documented in a new book by Pulitzer Prize-winning investigative reporter Eileen Welsome called "The Plutonium Files."

"There is a high probability that in addition to the animal remains, the grisly possibility exists that human body parts were also buried in Lewiston," Ricciuti told the stunned audience.

"That would be surprising," said Judith S. Leithner, the Army Corps' project manager for the Niagara Falls Storage Site.

When Ricciuti said he had documents to back up his belief that contaminated human organs were buried there, Leithner asked for copies of the documents and said the Corps would investigate.

"We're looking very carefully at the whole site, and that's why it's taking so long," Leithner said.

The site straddles the towns of Lewiston and Porter in northwestern Niagara County. Today it is surrounded by affluent homes and townhouses and is less than a mile from the Lewiston-Porter schools with a combined enrollment of 2,500 students.

Linda Shaw, an attorney representing John Syms who owns property in the area, criticized the Corps for failing to honor its commitment at a previous meeting to provide full data at Wednesday's meeting on the levels of contamination and the health hazards.

"You started poking holes in the ground last June, and there's still no data. These people are entitled to know if they're at risk," said Shaw, referring to the area residents.

The Army Corps has a \$4 million "wish list" of projects to clean up in the area, but "no idea" if they can ever get the money to complete the job, said LOOW project manager Mary Kay Foley.

"This site was radioactive from the beginning, and its reputation preceded it to the point that the University of Rochester chose it as a dumping ground," said local environmental activist Tim Henderson, referring to the Rochester Burial Ground.

"Once an area becomes degraded, it's almost a natural process for the abuse to continue. What we'd like to do is reverse that trend," said Henderson, who is president of Residents Organized for Lewiston-Porter's Environment.

While less-radioactive but still deadly materials are stored in containment structures, the animal remains were buried in wooden crates as shallow as eight feet down, Leithner conceded.

The Army Corps, which began removing TNT from the site last year, now intends to probe the site in the spring and fall for any other contaminated material, Leithner said.

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Subject: CANCER FINDINGS SPUR DEMAND FOR STUDY BY BILL MICHELMORE - NEWS NIAGARA BUREAU on April 20, 2001

The incidence of some cancers in women in the Lewiston area is almost 50 percent above what would be expected, and grass-roots organizations are mounting a campaign to determine whether there is a link to a former Army research facility that still contains radioactive waste. "These cancer findings confirm a lot of our fears," said Timothy Henderson, president of Residents Organized for Lewiston-Porter Environment. "There's stuff buried in Lewiston that would make Love Canal look like a health resort." The findings -- released recently by the state Department of Health and based on research during 1993 and 1997 -- show the incidence of breast and collector cancers among women in Lewiston was between 15 and 49 percent higher than elsewhere in the state. Colorectal cancer among men in Lewiston was found to be within the 15 percent expected rate. "This is higher than what we would expect to see compared to the rest of the state," state Health Department spokeswoman Claire Pospisil said of the breast and colorectal rates among women. "But it's difficult to link these figures to environmental causes. There are other factors that have to be considered, such as genetics, lifestyles and people's ages." For years, residents' concerns have been centered on the Lake Ontario Ordnance Works, a secret research and dumping ground during World War Two's Manhattan Project, which developed the atomic bomb. The site continued to be used for Cold War-era research and production of nuclear materials, ranging from commercial reactor components to military weaponry, according to Department of Energy records. Contaminated nuclear waste from the wartime projects was buried and consolidated in the Niagara Falls Storage Site, a 191-acre section spawned by the sprawling 7,500-acre ordnance works site. "The days of the need for secrecy are over," said Louis H. Ricciuti, a director of Citizens Campaign Against Nuclear Exposure. "We need to remove ourselves from the Cold War mind-set. We as citizens need to be a partner in the resolution of this devastating legacy that is already a half-century old." The area is also home to Chemical Waste Management, the only hazardous-waste landfill in the Northeast, and Modern Disposal Services, a garbage company. The so-called "toxic triangle" -- the storage site, CWM and Modern Disposal -- is about a mile from Lewiston-Porter schools. Unexplained illnesses and cancer deaths among students and teachers in the Lew-Port school system over the years have raised questions about a possible connection with the hazardous dump sites. Citizens Campaign is circulating a petition calling for full disclosure from the U.S. government, including health studies and follow-ups. The petition, with 150 signatures so far, will be submitted to President Bush, Congress and local representatives. "There isn't much help out there for people like us," said Brenda Smith, whose 15-year-old son has Hodgkin's lymphoma. The Lew-Port student and former weight lifter was diagnosed with the disease last July and is undergoing treatment in Roswell Park Cancer Institute, Buffalo. "He never had any medical problems, and the doctors have no explanation for his illness," said Smith. But both the state and Niagara County health departments balked at conducting such a study. "Statistics cannot by themselves tell you what causes cancer," said Paul Dicky, supervisory public health engineer for Niagara County. "These latest statistics are a tool for the state to identify areas for further research." Even if a study were conducted in the Lewiston area, cancer risk factors are too varied to draw any specific conclusions, Dicky said. Dicky suggests that worried residents consult their health care providers. Dicky is the county Health Department's representative on the Restoration Advisory Board of the U.S. Army Corps of Engineers, whose job it is to clean up the toxic areas. The Army set aside a portion of the Niagara Falls Storage Site as the Rochester Burial Grounds to contain the remains of dogs, cats, rabbits and other test animals injected with plutonium at the University of Rochester during in the 1940s and 1950s. The radioactive animal carcasses were buried in the Lewiston site 50 years ago, but it was only in the last three months that the corps began to address the matter. The corps began removing TNT from the ordnance works site last year but said two more years of studies are needed before a decision can be made on whether the uranium residue can be safely removed.

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Subject: Re: Porter road slag stories, Youngberg, DEC CECOS historic finds - 7/2003

-----Original Message-----

Subj: **Re: RADIOACTIVE SLAG BURIED IN NIAGARA**

Date: 8/31/2005 6:35:59 AM Eastern Standard Time

From: [NiagaraNet](#)

As an anecdotal aside to the following story below --

On several occasions over the last year, I have met with the architect and designer of record for the CECOS landfill. I am in possession of some of the original blueprints of the then proposed landfill that he produced and some permitting process signings by the NYSDEC. At the time, the design of the landfill was technologically sound but these technologies, philosophies, practices, accepted standards and regulations have changed. So too can personal opinion.

During the conversations that I had with the designer, I sensed a certain reflection on work he had done in the past. We talked of how he was picked for this particular job and certain ironies that happened nearly 40 years ago. He spoke of the times and of a life and years past. We talked of losses and gains. For some things, the designer seemed to be expressing regret and remorse. For others he expressed a sense of joy and elation. I'm glad that we met.

One of the things that I clearly remember of our conversation, was the early handling of barrels that were shipped into that landfill and back in that time frame. I mentioned that I had done some contracting work in the dump, basically right out of high school and mainly as a construction laborer. I told him of a memory I had of seeing barrels emblazoned with the Trefoil-radiation symbol. I told him how I had contacted a former work partner to ask if this fellow remembered the barrels (he didn't) and how--seemingly serendipitous, I received a package of documents from a doctor friend of mine involved in this same research in Maryland, and that

the pack contained the references to burials of radioactive materials at this location over the course of years that I was wondering about.

The practice of the day or at least at this landfill, was to tip the barrels and have the "crew" either puncture the lids of the barrels with a pickax, or to break the integrity of the barrel with the tines of a backhoe blade. Either way, the procedure was to allow the barrels to drain, then to collapse and compress, thus allowing an even greater amount of waste to be placed into a smaller pit. Admittedly, a very bad practice. The young architect designer was appalled but had little recourse other than to tell this tale almost four decades after the fact.

Porter Road Repaving-----raised rates at CECOS, Maine Yankee

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The below story is from Mike Brown, the Pulitzer Prize winner for his coverage of the Love Canal in the late 1970s and early 1980s. This article predates his Canal notoriety and "fame."

Subj:**RADIOACTIVE SLAG BURIED IN NIAGARA**
Date:1/11/2005 11:22:24 AM Eastern Standard Time
From:[NiagaraNet](#)

From *August 23, 1978*
Niagara Falls Gazette, Niagara Falls, New York, USA
by Mike Brown, Niagara Falls Gazette Staff Writer

RADIOACTIVE SLAG BURIED IN NIAGARA

Town of Niagara -- A 5,000 square-foot section of land owned by Niagara Recycling Inc. is designated as a restricted area because radioactive slag is buried underground, but health officials do not consider it a serious hazard. The small area, just north of Pine Avenue in line with 60th Street if the roadway extended that far, would be a concern only if its cover were disturbed, officials said.

According to a report conducted by Brown-Devlin Associates of West Seneca in 1974, the Union-Carbide Corp. once buried radioactive slag in a cordoned-off and specially marked section just south of what is known as Necco Park landfill. The general area is north of **Great Lakes Carbon** in a heavily industrialized area away from any homes.

At the time of the burial, according to the report, the material did not show dangerous levels of radiation. Spread over the burial is a 4-foot cover of mainly clay, officials said.

"I'm not sure if it was part of the Manhattan Project or if they (Union Carbide) were trying to enrich another ore," said John Tygert, a senior sanitation engineer for the state Department of Environmental Conservation, adding that the slag could be either **thorium, uranium or plutonium**.

"It should be no special problem," Tygert said. "If there should be a problem, we would have to require additional cover. We'll be checking it further."

There is a *drainage ditch* about 600 feet from the slag according to a DEC map. Ground water in the area moves in a southwesterly direction toward the Niagara River.

Much of the land at Niagara Recycling is described as cinders, ashes, silt, highly impermeable clay, gravel, and slag. Nearby is land owned by Newco Chemical Waste Systems Inc., a subsidiary of Niagara Recycling.

The radioactive area is near the border for the City of Niagara Falls and the Town of Niagara. Commercial or industrial development of the land is forbidden.

A spokesman for Union Carbide said the company is now researching the site because the U.S. Environmental Protection Agency has requested information on all such disposals in the area.

There was no one at the company reached today who knew details about the burial, but one said the material was discarded about 20 years ago.

"We're not too worried about it," said the spokesman.

George Amery, an official of the Niagara County Health Department, said he believes the company buried thorium oxide. He said extensive measures were taken as a safety precaution and the waste was buried "in a particular fashion." It is not clear whether the radioactive material was placed in lead containers.

Amery said he recalls the burial being only a shallow one, extending perhaps just 8 eight-feet below grade including the four-foot deep cover. "We were concerned with it three or four years ago when Newco was first developing," Amery said. "Our thinking was that the area should not be excavated but that they could feel free to pile materials on top of it."

The substance is surrounded by thick clay said Amery, effectively sealing in the contaminants.

According to the fourth addition of Van Norstrand Reinhold's "Dangerous Properties of Industrial Materials," thorium is generally a silvery-white, soft ductile metal. On an acute basis it has caused dermatitis. Taken internally it is a cancer-causing agent due to its radioactivity.

Located near the slag is a Newco landfill in which toxic substances are placed in compacted clay. There is no other area at the massive 370 acre Niagara Recycling site known to be radioactive.

Amery said he knows of no other radioactive burials in the county with the exception of the Lake Ontario Ordnance Works off Pletcher Road in Lewiston.

Robert Forgeng, plant manager at Union Carbide, said a "modest amount" of the material "was buried in accordance with the sanitary code."

In 1974, the Niagara Town Board asked the then Atomic Energy Commission to monitor the site, and former Town Justice Carl Timko, who asked for the study, said he has been told it is checked regularly. "But I haven't seen the figures" Timko said.

Timko called the general landfilling area "potentially more dangerous than the Love Canal" and "something that should be totally checked out."

"All I know is that its a restricted area." he said.

On January 14, 1975, the AEC sent the town a letter saying that there was probably also uranium at the site, adding that all the burials were in accordance to the law and that no further radioactive materials would be buried there.

At one time, there was worry that dust from the site would blow northeast toward the K-Mart Department Store, causing health hazards to those in that area. But no acute problems have been reported

*Lou's Note: Today, this same Zip Code area where "no acute problems" were reported, now has an increase of between 50 and 100% over state averages.

"Doug" and "Rosalie" are respectively...: Major-(Retired U.S.Army) Douglas D. Rokke, PhD, Pentagon Depleted Uranium expert, and, Rosalie Bertell, PhD., G.N.S.H. (deceased), bio-metician, founder, International Institute of Concern for Public Health, Nobel Nominee, Right-livelihood Award winner.

PORTER ROAD REPAVING AND OTHER
Subj: **Porter Road Rad Situation compendium of Gazette coverage**
Date: 8/4/2003 6:44:31 AM Eastern Standard Time
From: [NiagaraNet](#)
To: Dlind49

Hello Doug:

I have met with Rosalie and explained some of the issues around the Niagara area. As I may have mentioned to you, Niagara Falls was the home of Union Carbide's Electrometallurgical Works (Electromet), the largest ore-to-metal facility in the country from 1943 through 1956. We were also the Genesis of DU with the industrial facilities located here and handle rad materials to this day. I do believe that there is a direct connection to what you are concerned with and what has happened here in Western New York. I have explained to Rosalie that I have found additional connections in the fuel cycle with us here and waste materials that abound uncontrolled.

This is a cc of the articles sent to Diane D'Arrigo of NIRS.- (Director - Nuclear information and Resource Services)

Kind regards,
Lou R
Niagara Falls, NY
716-298-0850

Forwarded Message:
Subj: **Rad situation in Niagara Falls**
Date: 8/4/2003 6:33:35 AM Eastern Standard Time

ED_001490A_00001251-00005

From: [NiagaraNet](#)
To: dianed@nirs.org

Hello Diane:

Thanks for the return call on the weekend. Please contact me today if possible. I am sending you copies of three articles that appeared here regarding some NORM/TENORM materials that are being found, downplayed and then landfilled at BFI/Allied. This material was counting higher than materials from the Maine Yankee.

I believe that this situation highlights the things I've said previously about Niagara's involvement in the atomic business and wastes around town.

Hope to hear from you.

Best regards,
Lou R
Niagara Falls, NY
718-298-0850

From the Niagara Gazette Newspaper
Subj: **Porter Road Radioactive**
Date: 7/18/2003 1:28:45 AM Eastern Standard Time

Local News

Radioactive soil found on Porter Road

By Valerie E. Pillo / Niagara Gazette

Terry Ziuko had no idea what secrets his driveway held.

He found out Thursday, when a dump truck carrying the soil from the driveway was rejected at Browning-Ferris Industries. Sensors at the waste disposal company detected a higher level of radiation than is allowed at its landfill.

"From what I've heard, they've been monitoring it and this is the first place they found anything," Ziuko said. "It just happens to be at the end of my driveway."

Officials at BFI said the soil would not be harmful to residents, including Ziuko, and neighbors on Porter Road should not worry.

"I wouldn't be excited at all," said Dave Hanson, environmental manager at BFI. "I wouldn't be a bit worried if it was in front of my house. I'm being honest. You can get more radiation from being out in the sun."

That view wasn't shared by Lou Ricciuti, an independent environmental researcher. Ricciuti arrived at the scene with his own test equipment and said the findings were far from normal.

"This is above what the normal (radiation) levels are," Ricciuti said. "Anything above it should be questioned."

Hanson said BFI has a self-imposed radiation level of 1,000 counts per minute, which is the number of radioactive particles that hit an ionized stick. The truck that was rejected had 1,500 counts per minute.

"Our detectors are pretty sensitive," he said. "It doesn't have to be anything terrible to set them off."

Hanson said the soil likely includes slag material, which is industrial waste that was used to fill in property when city neighborhoods were being built. Slag was widely used throughout Niagara County.

"It's not uncommon to get some slag with some radiological quality," Hanson said.

When the soil was tested by the U.S. Air Force Hazardous Material team, a radioactive sensor barely picked up any radiation, Hanson said.

Hanson said BFI won't accept any material over their radiation limit unless they know the source and it's approved by the state Department of Environmental Conservation.

Ricciuti said the area readings were still 1,400 counts per minute, which means there still is some radioactive soil in the area.

"I've been expecting this to happen," Ricciuti said. "This is remnants of the Manhattan Project. This is the slag from the industries on Buffalo Avenue. They've been downplaying this for years."

ED_001490A_00001251-00006

Niagara Falls Fire Chief William Correa said he didn't think there was anything to be concerned about.

"There's no conspiracy or cover up," Correa said. "Work has resumed. The Air Force said it was natural occurring, minerals can have radioactivity. We took precautionary measures and told the neighbors what was going on."

Ziuko said he expects a simple solution to his problem.

"They'll probably just push stone in and cover it up and move on. That's probably what's going to happen," Ziuko said.

John Carney, a neighbor of Ziuko's, said he didn't really know what was going on.

"They said they found something in the dirt," said Carney looking at the hole where the dirt was dug. "They first told us to stay inside, but we wanted to know what was going on."

The contaminated soil remains inside a truck on Porter Road until officials decide where it can be dumped.

ARTICLE TWO

Subj: **Porter Road radiation story TWO Suspended**

Date: 7/22/2003 5:03:14 AM Eastern Standard Time

Local News

Porter repaving is suspended

By Patrick J. Bradley / Niagara Gazette

The repaving of Porter Road east of Hyde Park Boulevard has been suspended while City Engineer Ashok K. Kapoor awaits test results from a truckload of dirt taken from Terry Ziuko's driveway.

A dump truck carrying the soil was rejected last week at Browning-Ferris Industries after sensors at the waste disposal company detected a higher level of radiation than it allows at its landfill.

Although BFI officials said the soil would not be harmful to residents, the city called in a consultant from Ecology and Environment, a Lancaster-based environmental services firm, for advice on how to handle the findings while safeguarding area residents.

"Next morning, she came up with her equipment," Kapoor said. "We talked. We also had a conference with the state Department of Environmental Conservation's Albany office. The

DEC advised us to take a sample and send it to (its) lab in Albany for an analysis."

Test results are expected today.tuesday Meanwhile, the truck that was turned away has been sequestered at the city's New Road Corporation Yard.

"It's just being safeguarded," City Administrator Al Joseph said. "BFI won't let us dump it there until we get the results back from the DEC." BFI has a self-imposed radiation restriction standard of 1,000 counts per minute, based on the number of radioactive particles that hit its detector's ionized sensor. The truck that was rejected registered 1,500 counts per minute.

Environmental activist Lou Ricciuti, who brought his own test equipment to Porter Road last week, attributed the elevated levels to slag from Buffalo Avenue factories involved in the World War II-era Manhattan project.

"This is above what the normal levels are," Ricciuti said at the time. "Anything above it should be questioned."

Although he doesn't believe the excavated material poses a significant risk, Kapoor said it makes more sense to shut down the project than to mothball additional trucks BFI might turn away at its gate.

"It is not of immediate concern to the public, employees or anybody who's near it," Kapoor said. "Once the sample analysis is done, we'll know what the next step is to take. I would rather err on the cautious side."

ARTICLE THREE and the NYSDEC

DIRT IS SAFE

Subj: **Porter Road Radiation - disposition**

Date: 7/28/2003 12:35:52 AM Eastern Standard Time

ED_001490A_00001251-00007

DEC rules dirt is safe to landfill

By Patrick J. Bradley / Niagara Gazette

Excavation for the resurfacing of Porter Road east of Hyde Park Boulevard is scheduled to resume today following a determination by health and environmental officials that material taken from there last week does not pose a radiation hazard.

Work was suspended after a dump truck filled with dirt taken from Terry Ziuko's driveway was turned away from the BFI/CECOS landfill on Niagara Falls Boulevard when it activated a radiation monitoring device at the gate.

The truck was impounded last week and the state Department of Environmental Conservation performed a radiological analysis on the material. Test results were released Friday.

"The bottom line seems to be that the truckload, as well as any future truckloads that come out of that construction, are fine to dispose of at BFI," City Administrator Al Joseph said. "As we said from the very first night, there was not a danger to workers, no hazard to humans. It was a very low level of radiation."

Environmental activist Lou Ricciuti, who brought his own test equipment to Porter Road last week, said at the time the material included slag from Buffalo Avenue factories involved in the World War II-era Manhattan project.

"This is above what the normal levels are," Ricciuti said then. "Anything above it should be questioned."

City Engineer Ashok K. Kapoor said that simply is not the case.

"This material has no relation to the Manhattan Project. I want to be clear on that," Kapoor said.

Kapoor said that in laymen's terms, the radiation that activated the BFI scanner was caused by naturally occurring material although tests showed "some of that slag may have been from some kind of phosphorous manufacturing."

The chief of the DEC's radiation section in Albany said the samples did not contain regulated radioactive material, Kapoor added.

Results were reviewed by the state Department of Health and a report will be forwarded to BFI. Once landfill officials review it, the facility is expected to accept the material, Kapoor said.

LETTER FROM BARBARA YOUNGBERG of the NYSDEC
AFTER A FOIA and AFTER she released the material to BFI....

Unfortunately, I had to read about the disposition in the papers. I still (2017) have not received the analytical data as requested.

Subj: **Re: Porter Road radioactive material found**

Date: 7/30/2003 8:16:37 AM Eastern Standard Time

From: bayoungb@gw.dec.state.ny.us

To: NiagaraNet@aol.com

Sent from the Internet (Details)

Mr. Ricciuti: (sic)

I apologize for not getting back to you sooner. The newspaper article was correct. The road bed includes a layer of a slag-like material, that contains naturally occurring uranium and its decay products, in low concentrations typical of slags. Although the concentration of uranium and its decay products in the debris is higher than is found in soil, it does not present a significant radiation hazard in the road bed, nor in the landfill. Therefore, the debris is not regulated radioactive material, and it can be disposed of at a landfill.

I will forward your request for the analytical data to our Freedom of Information Act officer. You do not need to submit a separate request.

Barbara Youngberg
NYSDEC

>>> <NiagaraNet@aol.com> 07/29/03 06:35AM >>>

New York State Department of Environmental Conservation
Barbara Youngberg, NYSDEC Division of Solid & Hazardous Materials,

ED_001490A_00001251-00008

Dear Ms. Barbara Youngberg:

I would like to be updated as to the characterization of the radioactive materials found during a road construction project on Porter Road, Niagara Falls, New York, the week of July 17, 2003. I requested this information early last week. I am further requesting any test results that should accompany this material. Please inform me if I need to gather this information through the Freedom of Information channel.

In the local newspaper of Monday, July 28, 2003, there was a brief mention that the material was going to be allowed to be dumped at the BFI/CECOS location in Niagara Falls, New York, and also that work was to resume at this site. There was no direct quote from anyone at the NYSDEC including yourself, in this explanation of the situation. There was only a reporter's interpretation of whatever information was provided by your office to Niagara Falls City

officials, including the City Administrator and the City Engineer. Without a direct response from you as I requested, I am more than a little bit concerned about this situation. Common courtesy would dictate a response, would you please.

Shall I list you as "not able to answer," or, "refused to answer"? I did after all request to be kept apprised of this situation in numerous email and telephone calls. By not being readily informed as requested several times, there is a storm of questions that this creates from the citizen viewpoint.

Since I have communicated with you directly, I would appreciate a detailed response regarding this radioactive material found.

Thank you in advance.

Sincerely,
Louis Ricciuti, environmental researcher

FROM LOCAL POET
Baxter Talk
Words from the Front
By E.R. Baxter III
Sep 11, 2003, 00:07

On 9 July 1879, the **Niagara Falls Gazette** published the following story, quoted here in its entirety: "Mr. Scheurmann--Tonawanda--buzzsaw--two fingers." This was long before reattachment was an option, so the fingers were probably forgotten for the time being, left in the sawdust pile into which they had dropped, where they were later discovered by a stray dog. This was not the origin of finger food.

It's a good thing Scheurmann had eight spares. He was probably back to work the next day. They just don't make them like that anymore.

It's absolutely certain Scheurmann had not read Huckleberry Finn previous to the buzzsaw event, since about five years were to pass before it would be published.

Mark Twain, however, could have read the Scheurmann story. Not a trace of evidence exists to suggest that he did, but it's still possible. Can you prove that he didn't? Twain once said, "I only know what I read in the papers." We know that's more irony than a statement of fact. Still, we wonder what he'd make of newspapers today and what we read in them.

We've got, for example, people (two) prancing around in yellow bear costumes on Goat Island and the surprise (to some) of discovering radioactive soil in Niagara Falls, New York, near Robbins Drive on Porter Road. Shall we leave the bears prancing for a time while we examine the known facts about the contaminated soil?

On 17 July 2003, a truckload of soil excavated at the aforementioned site activated a **radiation** detector at the landfill where it was to be deposited. (Why was supposedly ordinary soil, or at least fill, destined for the landfill in

the first place? Was there a suspicion that it might be contaminated?) This detector was calibrated to sound an alarm at 1000 counts per minute, a level determined by the landfill (BFI) to be unacceptably high. The rejected truckload was reported to be 1500 CPM.

Background **radiation** in Niagara might be 90-100 CPM.

At least one expert estimates that if it had been possible to measure **radiation** 250 years ago, background here would have been 5-25 CPM.

Dr. Douglas Rokke (Ph.D. in Health Physics), the Director of Depleted Uranium assessments of munitions used in the 1990 Gulf War, says anything over 200 CPM is cause for concern.

Louis Ricciuti, independent researcher, using a Ludlum Model 3 **radiation** detector, a high-end instrument, confirmed the 1500 CPM range level of radioactivity, as did an associate from Lockport using a Bicron Pocket Monitor.

Then we read the following newspaper comments:

“You can get more **radiation** from being out in the sun.” (Dave Hanson, BFI enviro-manager) Really?

Does the sun set off the **radiation** detector at the landfill or is it kept in the shade? If you walk around in the sun holding a Ludlum 3 over your head would it register at least 1600 CPM? Are taller people, closer to the sun, more at risk? No wonder some tall people slouch. Instinctively, they know.

Hanson again: “It’s not uncommon to get some slag (industrial waste) with radiological quality.” He also said that slag was widely used as fill throughout Niagara County. (To what extent, if any, has this practice contributed to what’s been determined as “natural background” here?)

William Correa, Fire Chief from Niagara Falls, reports that the Air force (the United States Air Force Hazardous Material team “barely picked up any **radiation**”) said it was naturally occurring, minerals can have radioactivity.”

So let’s get this straight: Radioactive slag from industry can be widely used throughout Niagara County as fill, roadbed material, etc., and then, later, it’s “naturally occurring,” right? Does your common sense alarm go off here? If not, have you checked the batteries lately?

Let’s try this scenario: Mr. Green buys a house, situated on three acres, from Mr. Brown, during the winter months when deep snow covers the ground. In the spring when the snow melts, Mr. Green discovers that about one acre of the property furthest from the house is saturated with old oil. The contamination seems years old. Nothing grows there. In a collapsing shed at the rear of the property he finds empty 55 gallon drums with oil residue inside them. He takes Mr. Brown to court to pay for the cleanup.

Mr. Brown argues in court that oil is a substance found in the earth, it’s a natural deposit found even in some shales and what’s on the property is therefore “naturally occurring.” Who do you think will prevail? Do you think this is a false analogy? Tell me why.

On 28 July 2003, the Niagara Gazette published an article entitled “DEC rules dirt is safe.” The subtitle was “Radioactive soil taken from Porter Road called OK for landfill.” Niagara Falls city engineer, Mr. Kapoor, said that “in layman’s terms” the landfill’s detector was activated by “naturally occurring material,” even though testing had determined that “some of that slag may have been from some kind of phosphorous manufacturing.” He further reported that the Albany chief of the DEC’s **radiation** section said the soil “did not contain regulated radioactive material.”

What’s “regulated” radioactive material? Bomb-grade uranium? The dirt went to the landfill. Is the **radiation** detector there now set to 1550 CPM? The Gazette article should have followed the lead of that 1879 edition: “Niagara Falls--Porter Road--radioactive dirt 15 times background deemed safe--landfilled.”

If it’s so safe, why landfill it? Pile it up somewhere and offer free fill to Niagara residents. That’s probably how it got to Porter Road to start with.

I’m no expert on any of this. I don’t even understand microwaves. I just know what I read in the papers. Actually, on some days I just know what I don’t read in the papers. May yellow bears dance gracefully in your recurring dreams.

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Niagara Gazette, Niagara Falls, New York

Sunday, July 18, 2004, page 2A

Local environmentalist wants the truth
By Melissa Knific

Four years ago, Louis Ricciuti removed his suit and tie -- for good.

"I was a cheerleader for Niagara Falls," he said, referring to his job, which promoted local tourism. He owned a souvenir stand and had been a board member of the Niagara Falls Convention and Visitors Bureau.

After reading several articles in a national newspaper (USA Today-September 6-8, 2000, "Poisoned Workers, Poisoned Places" by Peter Eisler) about how private companies in the Falls and Lockport handled nuclear materials, he decided to alter his career plans.

Today, the 45-year old Lewiston resident is one of the areas most public environmentalists.

"They say do what makes you happy," Ricciuti said. And what he says makes him happy is the truth.

Since 2000, Ricciuti has been trying to uncover what he said has remained hushed in the community for too long -- the dumping of radioactive waste.

Self taught in nuclear physics, Ricciuti has approached city, state and national officials about his concerns. But the response hasn't been what he's hoped.

"This is a can of worms no one wants to open," he said.

One staunch supporter of Ricciuti's efforts is Diane D'Arrigo, a representative at Nuclear Information and Resource Service in Washington D.C. The two have worked together over the last several years.

"I've found his research to be very helpful and very reliable," she said. "He's very committed to following through on a lot of technical details."

Not all people have shown support, however. In the local community, Ricciuti believes denial is a big issue. "People are in disbelief that anything worse could be wrong than already has gone wrong here," he said. The Love Canal incident was visible in people's basement, he added, but the current problem isn't.

Ricciuti said some think his initiatives will lower property values and kill business, but he intends for it only to inform residents what is happening in their own neighborhood.

"I'm not trying to hurt anyone," he said.

While waiting government response, he said he'll continue to educate those around him.

Niagara County has been home to Ricciuti since he was born. After high school, he took a job building the Cave of the Winds. "That's when the tourism bug bit me," he said noting his large involvement in the field. Decades later, he read the three-day series in the newspaper and things began to change.

About two years ago, Ricciuti met biometrics expert Rosalie Bertell. She played a large role in altering his perspective through her focus on global health issues.

"Once your eyes are open, you can't close them," Ricciuti said, quoting what Bertell had one time said to him. "Truer words to me have never been spoken."

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Subject: Disturbing activity at radiologically contaminated site - Rapids Bowling

http://www.niagara-gazette.com/news/local_news/disturbing-activity-at-radiologically-contaminated-site/article_583d1a73-8b6e-5aee-8d1b-6d0c64111f17.html

Posted: Tuesday, September 19, 2006 11:29 pm

Disturbing activity at radiologically contaminated site

060806 Bowling Radiation - NG

James Neiss/staff photographer Niagara Falls, NY - Local researcher Lou Ricciuti used this contamination meter to check levels of radiation around Niagara Falls. Ricciuti examined documents pointing to several local areas with high levels of radiation, including the land around the Rapids Bowling Center, on Niagara Falls Boulevard, where he found high enough levels to cause health problems.

By Aaron Besecker

A radiologically contaminated site now being re-evaluated by state and county officials more than 25 years after it was deemed nonhazardous had its contents disturbed in 2001 in violation of an agreement between the property owner and the state Department of Health.

Underground fuel tanks buried on the Dunn Tire lot on Niagara Falls Boulevard owned by real estate developer Frank Amendola were removed in January 2001, according to documents obtained by the Niagara Gazette.

The tanks were dug out without any notification given to state health or environmental officials, according to state agency representatives.

A series of letters sent in August 1979 established conditions which stipulated the responsibilities of the property owner.

The surface integrity of the parking lot was to be maintained "so that the radioactive aggregate material remains fixed in place," state Commissioner of Health David Axelrod wrote at the time.

Any proposed change in the physical condition of the property was also supposed to be reported to the Buffalo Regional Office of the state Department of Health, according to Axelrod's letter.

At the time, attorneys for all parties involved agreed to the entire set of terms delineated by the state health department.

A state health department spokeswoman said the 2001 excavation was not a case of disobeying a DOH order. The agreement was more of a directive, spokeswoman Claire Pospisil said.

"Each case is based on its own facts and circumstances," Pospisil said. "And depending on those (circumstances), we require that the property owner take the proper steps to address the situation."

Pospisil said precautions were taken at the time of the excavation to protect worker safety.

Just last week, officials from the state DOH, the Department of Environmental Conservation and the Niagara County Health Department started the preliminary site work of an investigation at Rapids Bowling Center and Dunn Tire, 9524 and 9540 Niagara Falls Blvd.

In the late 1970s, local and state health officials determined that areas of those properties had radioactive material buried beneath them.

Health department documents show concentrations of uranium, thorium and radium had been found. The material has been described as "radioactive slag" by officials.

At the time, officials said the contamination combined with the use of the property did not create a public health threat.

The decision to re-evaluation the site, made less than two weeks ago, came after the state health department was confronted with issues raised by a local researcher.

Former tourism advocate Lou Ricciuti pointed to a 2005 National Academies' National Research Council report which said even low levels of radiation are likely to pose some risk of health effects.

He also noted the role of many sites in the Niagara area which handled nuclear materials, information that was not revealed when the initial site evaluation was completed in the late '70s.

Work on the tank removal, which was first reported by a county health department representative, provoked a written response from the state's Assistant Director of the Bureau of Environmental Radiation Protection.

"This department should have been advised prior to any excavation taking place at the site," wrote Adela Salame-Alfie, in February 2001. "In the future you must notify and obtain approval from this department prior to any disturbance of the parking lot resulting in exposing the radioactive material buried under it."

The DEC only received notification when work crews discovered soil had been contaminated around the withdrawn tanks, according to agency spokeswoman Maureen Wren.

Environmental officials then required the creation of a remedial plan to address the contamination near the former tank sites.

It was only shortly thereafter a representative of the county health department contacted the DEC about the radioactive contamination, Wren said.

Amendola could not be reached for additional comment, but said last week that he was told by state officials that the radiation on site was extremely low level and presented no risk.

He also said last week that he was just following the instructions from DEC officials who ordered some of the oil-contaminated soil be removed.

State health officials said no sanctions were ever issued to the property owner.

The initial 1979 letter from Axelrod, which first laid out conditions for future property use, also promised the state would provide for a permanent solution to the matter following its original study.

No permanent solution has since been offered.

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<https://www.radcast.org/atomic-niagara/>

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https://www.google.com/search?source=hp&ei=5gEHWrWdIKng0gLRnoSoCg&q=louis+ricciuti+niagara+falls+atomic+nuclear+lou+ricciuti&oq=louis+ricciuti+niagara+falls+atomic+nuclear+lou+ricciuti&gs_l=psy-ab.3...45063.70022.0.70719.58.41.0.0.0.890.3302.6-4.4.0...0...1.1.64.psy-ab..54.2.1658...0j0i131k1.0.IWDS7Illxgc

Louis Ricciuti - niagaranet@aol.com
Niagara Falls - Lewiston, New York
"Los Alamos East"
The Free World's Largest Uranium ore-to-metal production area.
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See: "Sites and Contractors - Appendix A", scroll to:

- "Electro Metallurgical Company (Niagara Falls, New York), a subsidiary of Union Carbide, was the MED's largest ore-to-metal uranium production plant. From 1942 to 1953, the plant processed uranium tetrafluoride (green salt) into uranium metal. The plant was also called the Union Carbide and Chemical Electro-Metallurgical Division Works."

<https://ehss.energy.gov/ohre/new/findingaids/epidemiologic/orise/app.html>

United States Department of Energy - Office of Health, Safety and Security,

Office of Human Radiation Experiments, Oak Ridge Institute for Science and Education. Please also see and read:

https://www.google.com/search?ei=QwIHWv3VElqu0gK7_4rgBw&q=artvoice+lou+ricciuti+niagara+falls+atomic+nuclear+&oq=artvoice+lou+ricciuti+niagara+falls+atomic+nuclear+&gs_l=psy-ab.3...81943.104076.0.105324.25.18.0.0.0.0.1532.5186.6-3j1j1.5.0....0...1.1.64.psy-ab..20.0.0....0.YeaRBSQoKpA